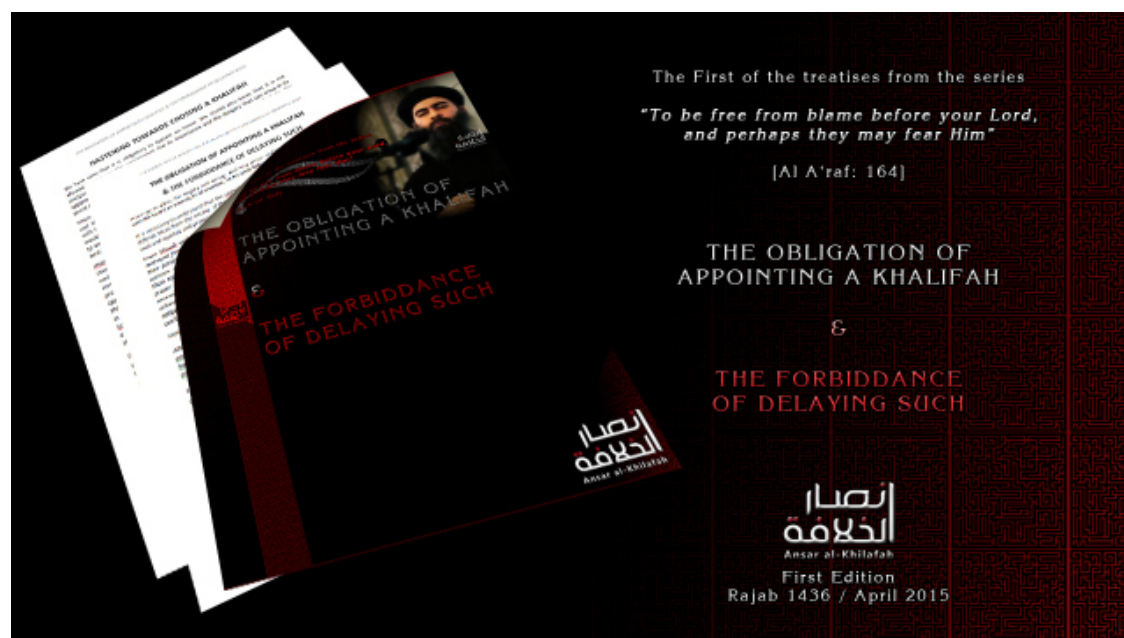


THE OBLIGATION OF APPOINTING A KHALIFAH & THE FORBIDDANCE OF DELAYING SUCH



INTRODUCTION:

The chatter in the social media and in the streets about the legitimacy of the Khilafah that was declared by IS on June 2014 has grown. Some of those who don't know much about the shari'ah knowledge have fallen prey to the doubts raised by the so called "jihadi scholars" in disapproving the Khilafah. Ansar Al Khilafah Media will be releasing a series of treatises insha'Allah that will try to explain the legitimacy of the Khilafah and refute the doubts raised by these people from a shari'i point of view perhaps some sincere Muslims might see the truth and embrace it. This is the reason we have chosen to clarify these issues and named our series after verse 164 in Suratul 'Araf;

وَإِذْ قَالَتْ أُمَّةٌ مِّنْهُمْ لِمَ تَعِظُونَ قَوْمًا اللَّهُ مُهْلِكُهُمْ أَوْ مُعَذِّبُهُمْ عَذَابًا شَدِيدًا قَالُوا مَعذِرَةٌ إِلَىٰ رَبِّكُمْ وَلَعَلَّهُمْ يَتَّقُونَ

And when a community among them said, "Why do you advise [or warn] a people whom Allah is [about] to destroy or to punish with a severe punishment?" they [the advisors] said, "To be absolved before your Lord and perhaps they may fear Him."

please share this as much as you can and inshallah soon we shall upload its pdf. Keep on checking on this page.

The First of the treatises from the series;

"To be free from blame before your Lord, and perhaps they may fear Him" [Al A'raf: 164]

THE OBLIGATION OF APPOINTING A KHALIFAH & THE FORBIDDANCE OF DELAYING SUCH

Praise be to Allah, the Mighty and Strong. And may peace and blessings be upon the one sent with the sword as a mercy to all creation. As for what follows:

It is necessary to understand that the ummah should have a Khalifah that unites their word and defends them from the enemy. If the ummah has no leader, the shariah of Allah will cease to exist and injustice and promiscuity will prevail.

Imam Ghazali said "The intelligent person won't dispute the fact that the creation would be destroyed from their differences in opinions, wishes and ranks were they to be left to act on their personal opinions with no leadership to be obeyed that brings together their different opinions. And this is a disease that has no cure except by a powerful obeyed leader that brings them together under one opinion. So it has become clear that leadership is necessary for the proper organization of the worldly affairs. And the organization of the worldly affairs is necessary for the organization of the deen and the organization of the deen is necessary for achieving triumph in the hereafter. And that is the exact essence of the Prophets. So the obligation of appointing an Imam (leader) has been from the necessities of the shari'ah that can't be abandoned in any way" **[Al Iqtisaad fii Al-'Itiqaad page 128]**

How true are the these lines of poetry by Ibn Mubarak:

***Allah by the Sultan(leader) protects adversities from the deen,
and by him our worldly life flourishes,
Had there been no leaders,
the roads wouldn't have been safe for us
and the weak would have become prey for the strong***

The authentic hadeeths of The Messenger of Allah (ﷺ) clearly show the obligation of appointing and giving bay'ah to a leader:

It was related by 'Abdullah ibn 'Umar (May Allah be pleased with them both) that The Prophet (ﷺ) said: **"Whoever dies without being bound by the oath of allegiance (bayah), dies the death of the time of ignorance(jahiliyah)"** [Sahih Muslim] [NOTE: The words of Rausullah (ﷺ) ; **"the death of the time of ignorance(jahiliyah)"** refer only to the baya'ah to the general Imam i.e. the khalifah not the minor/specific bay'ahs like the bay'ah given to the leader of a fighting group or a jama'ah of a specific place. Also refraining or postponing giving bay'ah to the Khalifah isn't allowed. The minor bay'ah won't suffice for the one who claims that he cannot give bay'ah to the Khalifah because he is already in a bay'ah to a jama'ah or a fighting group as this bay'ah(minor bay'ah) cannot substitute the bay'ah to the Khalifah.]

Also the famous hadeeth whereby Abu Sa'eed Al Khudhri(May Allah be pleased with him) narrates from the Messenger of Allah (ﷺ) that he said; **"When three persons set out on a journey, they should appoint one of them as their leader."** [Abu Dawud]

And the hadeeth of 'Abdullah ibn 'Umar(May Allah be pleased with them both) that The Messenger of Allah (ﷺ) said; **"It is not permissible for three persons to be in a land of wilderness without appointing one of them as their leader"** [Ahmad and At-Tabarani in Al-Mu'jam Al-Kabir]

These hadeeths show that, it is even more obligatory for a bigger jama'ah(of more than three people) to have a leader.

Sheykhul Islam Ibn Taymiyah (rh) said "And if Allah has made an obligation upon the least of groups (i.e. a group of 3 people as it came in the hadeeth) to appoint one of them as a leader, then, this is an indication that it is compulsory on any group that is more than that" **[Al Hisbah fil Al Islam page 9]**

Furthermore, several prominent 'ulamaa of the ummah have narrated ijama'(consensus) on the obligation of appointing an Imam.

Imam An Nawawi (rh) said "The 'ulamaa have unanimously agreed that it is compulsory upon the Muslims to appoint a Khalifah" **[Commentary of Imam An-Nawawi on Sahih Muslim 120/205]**

Sheykh Muhammad ibn Umar ibn Mubarak Al Humeyri (Bahraq) said: "Know that the belief of Ahlu Sunnah is that the appointment of an Imam is an obligation upon the ummah due to the unanimous agreement (ijma') of the sahaba (RA) after the passing of Rasulullah (ﷺ) whereby they agreed upon avoidance of the presence of a khalifah-less period. Abubakar(RA) said in his khutbah in Saqifat Bani Sa'adah among the muhajireen and Ansar "Verily Muhammad has died and it is inevitable for this deen to have an Imam that stands for it." So everyone immediately accepted his words and none of them said that he is not in need of that, rather they gathered in consensus upon his leadership" **[Hadaiqul Anwar page 397]**

So we have known from the hadeeths and the ijama' of the ummah, that it is obligatory upon the Muslims in all places and all times to appoint a khalifah. And whoever claims that the appointment of an Imam is not wajib(an obligation) in our time, has indeed forged a lie against Allah because he has claimed that the shariah has approved of disunity.

Therefore, If a certain group declares Khilafah after fulfilling all the conditions, then it is compulsory on all muslims to join them in that khilafah.

HASTENING TOWARDS CHOSING A KHALIFAH

We have seen that it is obligatory to appoint an Imam. We should also know that it is not allowed to postpone this appointment due its importance and the dangers that can arise in its postponement. The sahaba understood this fact, and that is why they rushed to the appointment of an Imam, something that made them delay the burial of the prophet (ﷺ).

Imam An-Nawawi said "They(i.e. The sahabah) only delayed the burial of the Rasul (ﷺ) from Monday day to Tuesday night because they were occupied with the issue of the bayah so that they may have an Imam whose opinion and command they would follow should they dispute on his burial rites(i.e. shrouding, washing and burrying) so as to avoid arguments and disagreements. And this was the most important thing and Allah knows best." **[Commentary of Imam An-Nawawi on Sahih Muslim 7/36]**

ImamAl Ghazali said "It is seen from the first generation that, the sahabah rushed to appoint an Imam and pledge bayah after the death of the Prophet (ﷺ), and they believed that it is an obligation binding upon them and a right that should be fulfilled immediately, and they avoided its postponement which made them delay preparing the prophet (ﷺ) for burial since they were busy

with the appointment of an Imam; all these because they knew that, should there be a moment in which they have no leader that unites them under one opinion and they face a problem, and they differ in the mode of solving it; the system would be messed up, the unity would rive and the laws (ahkaam) would terminate. It's because of this that they prioritized rushing towards appointing a leader and they did not occupy themselves during this time with anything else other than that"

[Fadhaih Al-Batiniyah page 171]

If Rasulullah (ﷺ) who was the best of the creation, and the one most worthy of fulfilling his rights, the sahaba saw it fit to procrastinate his burial so as not to delay the appointment of the khalifah, would it then be logical for one to claim that it is permissible to postpone the obligation of appointing a khalifah or that choosing a Khalifah isn't wajib and that it is a mere sunnah?! Infact the action of the sahabah clearly shows that it is wajib to rush towards appointing a khalifah and that this obligation should be prioritized over all other religious and worldly affairs.

Thus, the Islamic State in Iraq and Shaam(IS) could not delay the establishment of The Khilafah after they attained all the prerequisites. They went forth and declared the Khilafah hence lifting off the burden of sin from all the Muslims in the world. The statement of the declaration of the Khilafah included the following words:

"Therefore, the shūrā (consultation) council of the Islamic State studied this matter after the Islamic State - by Allah's grace - gained the essentials necessary for khilāfah, which the Muslims are sinful for if they do not try to establish. In light of the fact that the Islamic State has no shar'ī (legal) constraint or excuse that can justify delaying or neglecting the establishment of the khilāfah such that it would not be sinful, the Islamic State - represented by ahlul-halli-wal-'aqd (its people of authority), consisting of its senior figures, leaders, and the shūrā council - resolved to announce the establishment of the Islamic khilāfah, the appointment of a khalīfah for the Muslims, and the pledge of allegiance to the shaykh (sheikh), the mujāhid, the scholar who practices what he preaches, the worshipper, the leader, the warrior, the reviver, descendent from the family of the Prophet, the slave of Allah, Ibrāhīm Ibn 'Awwād Ibn Ibrāhīm Ibn 'Alī Ibn Muhammad al-Badrī al-Hāshimī al-Husaynī al-Qurashī by lineage, as-Sāmurrā'ī by birth and upbringing, al-Baghdādī by residence and scholarship. And he has accepted the bay'ah (pledge of allegiance). Thus, he is the imam and khalīfah for the Muslims everywhere." **[The official spokesman of The Islamic State - Sheykh Abu Muhammad Al 'Adnani during the declaration of the Khilafah, on 29th June 2014 "This is the promise of Allah"]**

The khalifah may Allah protect him further emphasized upon this in his first video khutbah after the declaration of the khilafah:

"Indeed your brothers the mujahidin, were blessed with victory by Allah tabaraka wa ta'ala and were blessed with consolidation after long years of jihad, patience, and fighting the enemies of Allah. Allah guided them and strengthened them to establish this goal. Therefore they rushed to announce the Khilafah and appoint an Imam. This is an obligation upon the Muslims - an obligation which was abandoned for centuries, and disappeared off the face of the Earth. So many Muslims were ignorant of it and are sinful for abandoning it. It is always obligatory upon them to establish it. So now they have established it, to Allah is all praise and from Him are all blessings." [The Khalifah Ibrahim (Sheykh Abubakar Al Baghdadi) during his Friday Khutbah in the grand Masjid of Mosul in 6th of Ramadhan 1435H]

Unfortunately, some of the jihadi claimants of our time, have turned a blind eye to the

aforementioned Nusus, ijma' and the fiqh of the Sahaba and have preferred to go by their defeatist principles that have no basis in the religion. The following is an excerpt from one of the statements released by these defeatists; **"And as it is well known from the opinions of the Jihadi leaders of our time like the shahid sheikh Usamah bin Ladin(RH), the Mujahid Sheykh Ayman Adh-Dhawahiri(HA) and the sheikh 'Attiyatullah Al-Libi(RH) and others and from the conclusion of their long experience in Jihad, that the establishment of Emirates(Imarat), and Islamic States within the global kufr system headed by America is a sort of a joke as long as the global leader of kufr(America) has not crumbled and stopped interfering with Muslim Lands.All these apply to establishing Islamic states, what about establishing the Khilafah?" [Statement on the recent incidents in Caucasus and advice to the Mujahdeen in Caucasus published on 28th January 2015].** This statement was directed at the Mujahideen in Caucasus that wanted to give bay'ah to the Khalifah of the Muslims. Among those that signed this statement was the jabhat An-Nusrah clown Abu Maria al Qahtani, Sheykh Harith An-Nadhari and Sheykh Ibrahim Rubeishy of Al Qaidah in the Arabian peninsula(May Allah forgive their sins both), the spiteful Tariq AbdulHalim and Muheysini of Jabhat An-Nusrah.

Their claim that the jihadi leaders of our time regarded the establishment of an Islamic emirate as joke is actually a pure slander to confuse the layman. Below are the statements of the sheikhs they claimed to have deemed the establishments of jama'ahs to be a "sort of a joke" and more. All of them were under the Islamic Emirate of Afghanistan to begin with, and also endorsed other such emirates in other parts of the Muslim world and specifically the Islamic state in Iraq.

Sheykh Usamah bin Ladin said:

"Therefore, the effort to establish the greater jamaah of the Muslims becomes an obligation upon individual Muslims and Mujahideen by pledging obedience to the group most practicing the truth and characterized by it. Allah the Exalted said; "O you who believe! Fear Allah and be with the truthful." (At-Tawbah 119)

[The Way to Foil Conspiracies on Iraq and the Islamic State - an audio statement by Shaykh Usamah Bin Laden - issued by As- Sahab Media on December 29 2007]

Sheykh Abu Yahya Al Libi said:

"The fact is, I consider the venturing of our brothers, the mujahideen in Iraq, to declare the setting up of the Islamic State to be pure God-given Success and to be part of the guidance which Allah has guaranteed for His worshippers The Mujahideen in His statement "And as for those who strive for us, we will surely guide them to Our ways." ('Anqaboot 69)

[As-Sahab's Second Interview with Shaykh abu Yahya Al-Libi - released on September 9 2007]

Sheykh 'Attiyatullah Al Libi said:

"This state (The Islamic state in Iraq) will be inshā'allah the nucleus for the great Islamic state and the righteous khilāfah upon the prophetic methodology."

[Kalimāt fi Nusrat Dawlat al-'Iraq al-Islāmiyyah - Words in Support of the Islamic State of Iraq]

Sheykh Ayman Adh-Dhawahiri said:

“Qaida Al-Jihad Organisation in Mesopotamia has merged - by the Grace of Allah - with other Jihadi groups in the Islamic State of Iraq (May Allah Protect it), which is a legitimate emirate based on a proper legal methodology and which was founded through Shura and received the pledge of allegiance of most of the Mujahideen and tribes in Iraq. **[A Review of Events - As-Sahab Media's Fourth Interview with Sheykh Ayman Al-Dhawaahiri in Dhul Qa'dah 1428]**

He also said;

“The brothers' reason for declaring the State (Islamic State of Iraq), and we think it was rational, was that they wanted to save Iraq from the fate which the Afghan Jihad met after the fall of Kabul.”

[In “Advice of One Concerned” - issued by As-Sahab on July 6 2007]

He also said:

“Then, when Allah honoured him with martyrdom(reffering to Sheykh Abu Mus'ab Az-Zarqawi), as we see it, he was succeeded by his companion on the path of Jihad and Tawheed, Abu Hamza al-Muhajir, may Allah protect him, who strove with his honourable, sincere brothers, as we see them, to establish the Islamic State of Iraq, and it was good news for the Muslims, as they moved one step closer to the outskirts of Bayt al-Maqdis and the establishment of al-Khilafa, with Allah's permission“

[In “Advice of One Concerned” issued by as-Sahab on July 6 2007]

So we have seen the stance of the jihadi leaders of our time as regards the issue of forming an Islamic state. They were happy about such jama'ahs and actually encouraged their formation. Never have we seen them saying that formation of an Islamic state with America still being the super power is a sort of a joke. Sadly forging such lies has become the strategy of these partisans may Allah save the ummah from their deceit.